

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(BALTIMORE DIVISION)

IN RE:

Melange S. Scott,

Debtor.

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Case No.: 21-14292 NVA

Chapter 13

**OBJECTION OF PETER M. FERRARO TO CONFIRMATION OF THE DEBTORS’
AMENDED CHAPTER 13 PLAN (DOC 38)**

Peter M. Ferraro (“Ferraro”), a creditor in the above-captioned case, by his undersigned counsel, pursuant to 11 U.S.C. § 1325, hereby submits its objection to Debtor, Melange S. Scott’s a/k/a Melange S. Davis’s (the “Debtor”), Amended Chapter 13 Plan. In support of his Objection, Ferraro states as follows:

1. The Debtor is currently indebted to Ferraro under, *inter alia*, a judgment entered in favor of Ferraro and against the Debtor on April 19, 2021 in the Circuit Court of Maryland for Baltimore County (the “Judgment”).

2. On or about June 30, 2021 (“Petition Date”), the Debtor filed a Voluntary Petition in this Court under Chapter 7 of the Bankruptcy Code, which was converted under Chapter 13 on August 12, 2021.

3. On August 17, 2021, Ferraro filed a Proof of Claim in the instant case in connection with his claim described above.

4. On or about November 15, 2021, the Debtor filed a proposed Amended Chapter 13 Plan (the “Plan”) in the instant case.

5. 11 U.S.C. § 1325 requires that a plan be proposed in good faith in order for it to be confirmed.

6. The Amended Plan may not be confirmed as the Amended Plan does not, among other things, satisfy the requirements of 11 U.S.C. §§ 1325(a)(4), (a)(6), (a)(7), or (a)(9). The Debtor will not be able to make all payments under the Amended Plan and comply with the Amended Plan. The action of the Debtor in filing the petition was not in good faith as, among other things, the original plan and Amended Plan were not feasible or submitted in good faith according to the Debtor's schedules as filed with this Honorable Court.

WHEREFORE, Peter M. Ferraro respectfully request that this Honorable Court enter an order denying confirmation of the Debtor's Amended Chapter 13 Plan.

Respectfully submitted,

/s/ Scott B. Wheat

SCOTT B. WHEAT, Fed. Bar No. 16522.
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Counsel for Peter M. Ferraro

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the __19th__ day of December, 2021 a copy of the forgoing Objection to Confirmation of the Debtor's Amended Chapter 13 Plan was served upon the following parties by first class mail, postage prepaid, or by ECF:

Kim D. Parker, Esq. (ECF)
Attorney for Debtor

Melange S. Scott
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Nottingham, MD 21236
Debtor

Chapter 13 Trustee
Rebecca A. Herr
185 Admiral Cochrane Dr., Suite 240
Annapolis, MD 21401

US Trustee
Office of the U.S. Trustee
101 W. Lombard St., Suite 2625
Baltimore, MD 21201

/s/ Scott B. Wheat
Scott B. Wheat, Esquire